

### **REMARKS**

This responds to the Office Action mailed on September 20, 2007.

Claims 1 to 20 are amended; as a result, claims 1-20 are now pending in this application.

#### **§102 and §103 Rejections of the Claims**

Claims 1-8, 16-19, and 20 were rejected under 35 U.S.C. § 102(e) for anticipation by Bauer (U.S. 20030216969 A1, hereinafter referred to as the Bauer reference).

Claims 9 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bauer in view of Nicastro (U.S. 20020073114 A1).

Claims 11 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bauer modified by Nicastro in view of Cesar (U.S. 6,172,596 B1).

Claims 13-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bauer modified by Nicastro in view of Seelinger (US 20020087554 A1).

The Bauer reference discloses an inventory management system. In particular, the Bauer reference is directed toward an inventory management system for retail merchandise. (See paragraphs 0030 and 0031.) The present disclosure is directed toward an asset management system that tracks a set of assets, not an inventory management for retail merchandise as disclosed in the Bauer reference. Since the two systems have been designed for different applications and have different objectives, there are a number of differences between the two systems.

One key difference between the two systems is that in the asset management system of the present disclosure, each individual object may be tagged with updated information on the detailed object information portion of the radio-frequency identification (RFID) tag after performing any configuration or maintenance on the tagged object. By writing updated information on the detailed object information portion of the radio-frequency identification (RFID) tag after any configuration or maintenance of that object, any person with access to the object and a radio-frequency tag reader can access this updated information when performing additional configuration or maintenance of the object without having to access the main master data system. This aspect was claimed in original claim 18.

For example, a maintenance worker at a remote location that is unable to access a master data system may need to perform maintenance or configuration of an object tracked by the asset

management system. That maintenance worker can use a radio-frequency reader to read the radio-frequency identification tag on the object to obtain the latest configuration and maintenance information for that specific object from the detailed object information portion of the radio-frequency identification tag. This configuration or maintenance information may be used to help in performing the currently needed maintenance or configuration of that object. After the maintenance or configuration of the object has been completed by the maintenance worker, any changes in the object can then be stored directly on that object as updated information in the detailed object information stored on the radio-frequency identification tag. This updated configuration or maintenance information may (or may not) be updated in the master data system at a later time. Note that if this configuration or maintenance information is not stored on the master data system then that master data system has been simplified by removing extraneous information about an asset and placing that information where it is needed most, directly on the object.

This key capability is present in all the amended independent claims in the present patent application. Specifically, the amended independent claims specify that each object has a radio-frequency identification tag containing detailed information and that “said detailed object information comprising updated information for said associated object after performing maintenance or configuration of said associated object” such that it is clear that updated maintenance or configuration information is stored locally on the radio-frequency identification tag of an object.

The Bauer reference does not disclose a system wherein updated information is stored directly on the RFID tag for an object after the object has been changed due to configuration or maintenance. Instead, the RFID tags of the Bauer reference remain rather static. The system of the Bauer reference does disclose an EPC writer 234 that is used to write information onto RFID tags, but the information written is not updated information for the object after performing maintenance or configuration on that object.

Claim 18 of the original claim set forth this novel aspect since it specified “updating of at least one fade out indicator associated with the object upon the object being subject to specific maintenance”. In the Examiner’s Office Action, the Examiner contends that the Bauer reference discloses this feature. Specifically, the Examiner cited paragraph 0099 of the Bauer reference

that concerns a rapid recall task 233 that may “calculate a reduced shelf life or predict spoilage for temperature dependent items.” However, performing such a calculation is not the same as performing configuration or maintenance on the object. No actual change was made to the actual object. Furthermore, even if one were to consider such a calculation as “configuration or maintenance” on the object, there is no indication that any updated information (such as the ‘reduced shelf life’ value) is written to the RFID tag on that object. The system of the Bauer reference actually teaches away from the present invention since the rapid recall task 233 is part of the intelligent shelf software application 200 that is analogous to the master data system of the present invention. Thus, the system of the present invention moves such information away from the centralized system (the master data system) and instead places such information directly on the RFID tag attached to the object where such information is most needed.

None of the references cited by the Examiner disclose or teach toward a system that stores detailed object information directly on an RFID tag attached to an object wherein “said detailed object information comprising updated information for said associated object after performing maintenance or configuration of said associated object” as required by all the amended independent claims. Thus the all the amended independent claims are thus allowable over the cited prior art. Furthermore, the dependent claims include all the limitations of the amended independent claims and are thus likewise allowable.

#### Reservation of Rights

In the interest of clarity and brevity, Applicant may not have equally addressed every assertion made in the Office Action, however, this does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based

upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

### CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at 408-278-4058 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

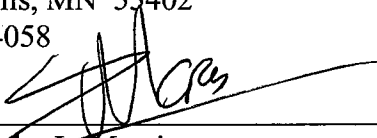
Respectfully submitted,

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01/22/08

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 22<sup>nd</sup>, day of January 2008.

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Signature

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